

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

AMIR F. ABD-ELMALEK,

Plaintiff,

v.

BARRY H. JENKINS,

Defendant.

Case No. 2:16-cv-02509-APG-GWF

**ORDER GRANTING MOTION TO  
REOPEN CASE**

(ECF No. 8)

On November 3, 2016, Magistrate Judge Foley dismissed plaintiff Amir Abd-Elmalek's complaint with leave to amend. ECF No. 3. Judge Foley directed the plaintiff to file an amended complaint by December 2, 2016. *Id.* at 3. The plaintiff did not file an amended complaint, and mail sent to him was been returned. ECF Nos. 4, 5. I therefore dismissed the case. ECF No. 6.

The plaintiff now moves to reopen the case, stating that he never received the court's prior orders even though he has not changed his address. ECF No. 8. I grant the motion. On or before May 1, 2017, the plaintiff must file an amended complaint addressing the issues identified in Judge Foley's prior order. ECF No. 3. Because the plaintiff may not have received a copy of Judge Foley's order, I will instruct the clerk of court to send a copy along with this order.

IT IS THEREFORE ORDERED that the plaintiff's motion to reopen the case (ECF No. 8) is **GRANTED**.

IT IS FURTHER ORDERED that the plaintiff shall file an amended complaint on or before May 1, 2017.

IT IS FURTHER ORDERED that the clerk of court shall mail to the plaintiff a copy of Judge Foley's November 11, 2016 order (ECF No. 3) along with this order.

DATED this 3rd day of April, 2017.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE